

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**DAVID STEBBINS,** )  
Plaintiff, )  
v. )  
**RELIABLE HEAT & AIR, LLC, et al.,** )Case No. 10-3305-CV-S-RED  
And )  
**RANDAL RICHARDSON, et al.** )  
**Defendants.** )

**MOTION TO CLARIFY ORDER DENYING  
MOTION TO COMPEL DISCOVERY**

Comes now Plaintiff David Stebbins, who hereby submits the following motion to clarify the court's order (Document #105) denying my motion to compel discovery (Document #104).

I actually like the fact that the District Court has voluntarily stayed the proceedings. However, I still want to make sure of one detail.

As you can see from Document #17, discovery is to be completed by May 18, 2011. It is highly, highly unlikely that the appeal will be finished by then.

I want you to assure me that, not only are the proceedings being stayed, but the deadlines are being pushed back, accordingly. If my appeal is denied, and your order is affirmed, and I immediately re-file my motion to compel discovery, I want assurance that it will NOT be denied on the grounds that discovery is over.

Please give me this assurance and this peace of mind. It is so requested on this 10<sup>th</sup> day of May, 2011.

  
David Stebbins  
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**CERTIFICATE OF SERVICE**

I, Plaintiff David Stebbins, hereby certify that a true and correct copy of my Motion to Clarify [105] Order Denying [104] Motion to Compel Discovery was served on Gary Allman, attorney for the Defense, by transmitting a copy via email transmission to [garywallman@gmail.com](mailto:garywallman@gmail.com) on the 10<sup>th</sup> day of May, 2011.



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